IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WP(C).No. 19412 of 2007(J)

PETITIONER:

JOSEPH VARGHESE, S/O. VARGHESE,
AGED 53 YEARS, PALLIKIZHAKKETHIL HOUSE,
KUDAMALLOOR P.O., KOTTAYAM.

BY ADV. SRI.D.SREEKUMAR
SRI.TONY PETTAH

RESPONDENTS:

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1. KOTTAYAM DISTRICT CO-OPERATIVE BANK LTD.
KOTTAYAM, REPRESENTED BY ITS GENERAL MANAGER.

2. EXECUTIVE OFFICER/AUTHORISED OFFICER
UNDER THE SECURITY INTEREST (ENFORCEMENT) RULES
KOTTAYAM DISTRICT CO-OPERATIVE BANK LTD.,
HEAD OFFICE, KOTTAYAM.

3. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES, KOTTAYAM.

BY SC ADV. SRI. T.R.HARIKUMAR.
BY SR. GOVT. PLEADER SRI. P.N. SANTHOSH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.19412 of 2007

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Dated this the 25th day of June, 2007

JUDGMENT

I heard learned counsel for the petitioner and the learned counsel for the Bank besides the learned Government Pleader.

2. Petitioner availed a loan, which he has not been able to repay. Learned counsel for the petitioner however submits that all that the petitioner is seeking is three months time to repay the amount due to the Bank. I feel that this is a reasonable request and it should be accepted.

Accordingly, the writ petition is disposed of as follows:

The first respondent will serve a statement on the petitioner within two weeks from today showing the exact amount due from the petitioner. Petitioner is granted three months time from today to pay off the entire amount. In case the petitioner does not pay the amount within three months from today as aforesaid, the first respondent is free to proceed against the petitioner for recovery in accordance with law. Proceedings against the petitioner will be kept in abeyance for a period of three months from today.

(K.M. JOSEPH, JUDGE)

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